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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/571,503	03/10/2006	Jean-Yves Bitterlich	112740-1133	4152
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BELL, BOYD & LLOYD, LLP			HUR, ECE	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/571,503	BITTERLICH, JEAN-YVES	
	<b>Examiner</b>	<b>Art Unit</b>	
	ECE HUR	2175	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 10 April 2008.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 4-6 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 4-6 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 10 March 2006 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>04/10/2008</u> .  | 6) <input type="checkbox"/> Other: _____ .                        |

**DETAILED ACTION**

This action is responsive to Response/Arguments filed on April 10, 2008.

***Status of Claims***

Claims 4-6 are pending in the case. Claim 4 is independent Claim.

Claim 4 is rejected under 35 U.S.C. 112, second paragraph.

Claims 4-6 are rejected under 35 U.S.C. 103(a).

***Response to Arguments***

Applicant's arguments filed April 10, 2008 have been fully considered but they are not persuasive. See rejection details for Claims 4-6. Applicant argued:

- 1) Regarding to the Abstract objection, abstract was objected based on containing legal phraseology "means", appropriate correction is required. See MPEP § 608.01(b). However, last line of the abstract contains "means", therefore the objection remains.
- 2) Regarding to the Claims 4-6 rejection under 35 U.S.C. 112, second paragraph. The rejection for Claims 4 is withdrawn, because applicant amended the Claim 4. Claims 5 and 6, regarding the object, examiner will interpret the object as "an object" according to applicant's remarks. Furthermore, the rejection based on 35 U.S.C. 112 based on term "the local processing function" in Claim 4, line 10" remains applicant has not provided any remarks about this rejection. See rejection details.

- 3) Applicant argued that the application performs an ad hoc screen assembly between two distinct computers. Khoo discloses that two distinct devices can be integrated into a single unitary device. (Khoo, Page 1, Paragraph 0005).
- 4) Applicant argued that Khoo does not disclose performing an ad hoc screen assembly by the object computer with the processing computer in order to couple their input and/or output device (applicant should note that keyboard is input device), activating a local file processing function. Khoo does not teach the claimed aspect of generating an object processing platform by moving an object from a display belonging to the object computer to the interaction area of the display belonging to the processing computer. However, Okahara discloses the claimed aspect of generating an object processing platform by moving an object from a display belonging to the object computer to the interaction area of the display belonging to the processing computer in FIG. 13, wherein shows a display screen of a terminal operation apparatus used by each electronic conference attendant. An inlet area 95, which is a particular region, is provided in the display screen 91 of the operating terminal 3, and an outlet area 96 is provided in the shared screen 94 of the operated terminal. Herein, the inlet area 95 is to be an element that generates a switching processing event for providing continuity from the operation of the operating terminal 2 to the operated terminal 3, and an outlet area 96 is to be an element that generates a switching processing event for providing

continuity from the operation of the operated terminal 3 to the operating terminal. (Okahara, Page 14, Paragraph 0206).

5) Applicant further argues that Okahara does teach the aspect of pointer device, however in FIG. 13 a pointer is moved from point A to point B. (Okahara, Page 14, Paragraph 0207).

6) Applicant further argues that

"Okahara fails to disclose that the pointer device can be used to move an object from a display belonging to one computer to the display belonging to another computer..."

Examiner respectfully disagrees since the claims do not recite that "the pointer device can be used to move an object"

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "the pointer device can be used to move an object") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

7) In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

8. Applicant further argues

"one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention"

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

### **Information Disclosure Statement Acknowledgement**

The information disclosure statements filed on April 10, 2008 is in compliance with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. It has been placed in the application file, the information referred to therein has been considered as to the merits.

### **Abstract Objection**

The abstract of the disclosure is objected to because of the legal phraseology "means", appropriate correction is required. See MPEP § 608.01(b).

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4 is rejected under 35 U.S.C. 112, second paragraph, as being failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding Claim 4, Claim 4 is rejected under 35 U.S.C. 112, second paragraph, recites the limitation "the local processing function" in Claim 4, line 10. There is insufficient antecedent basis for this limitation in the claim.

**Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Khoo, US 20030227745, in view of Okahara, US 20010004254.

Regarding Claim 4, Khoo discloses the claimed aspect of a method for generating an object processing platform between an object computer and a processing computer, wherein an ad hoc screen assembly is performed by the object computer with the processing computer to couple a respective input and/or output device, wherein two devices can be virtually integrated into a single unitary device, to provide a greater ease of use than a single highly integrated device. Therefore, it is also desirable to provide a system of networking a mobile telephone type device and a PDA type device to produce a portable networked device that combines the features of both devices while allowing both to be used independently from one another. (Khoo, Page 1, Paragraph 0005, lines 11-18).

Khoo discloses the claimed aspect of activating a local file processing function, wherein at least one display belongs to a processing computer

having an interaction area, wherein mobile phone 224 and PDA 225 are coupled together over a wireless link 216. For the embodiment of FIG. 2B, both devices implement a wireless protocol that allows them to synchronize their operation and access common data and produce common output. One such wireless protocol is the Bluetooth protocol. Bluetooth is an industry consortium developed technology that defines specifications for small form factor, low-cost, low power consumption, short-range radio links between mobile personal computers, mobile phones and other portable devices. (Khoo, Page 4, Paragraph 0041).

Khoo does not teach the claimed aspect of claimed aspect generating an object processing platform by moving an object from a display belonging to the object computer to the interaction area of the display belonging to the processing computer. However, Okahara discloses the claimed aspect generating an object processing platform by moving an object from a display belonging to the object computer to the interaction area of the display belonging to the processing computer in FIG. 13, wherein shows a display screen of a terminal operation apparatus used by each electronic conference attendant. An inlet area 95, which is a particular region, is provided in the display screen 91 of the operating terminal 3, and an outlet area 96 is provided in the shared screen 94 of the operated terminal. Herein, the inlet area 95 is to be an element that generates a switching processing event for providing continuity from the operation of the operating terminal 2 to the operated terminal 3, and an outlet area 96 is to be an element that generates

a switching processing event for providing continuity from the operation of the operated terminal 3 to the operating terminal. (Okahara, Page 14, Paragraph 0206). Furthermore, Okahara discloses that regarding the continuity of the operation of the pointing device, the movement in the display screen 91 of the operating terminal, the movement to the inlet area 95, and the switching to the pointer operation on the shared screen 94 of the operated terminal are continuously and seamlessly conducted, and an operator does not feel discontinuation of the operation. (Okahara, Page 14, 0208).

It would be obvious to one of ordinary skill in the art at the time of the invention to combine Khoo's compound device with Okahara's continuing cursor movement from one device to the other device's display to achieve the claimed moving aspect, because it would allow a pointer operation target to automatically to be switched to ensure continuity of a pointer operation. (Okahara, See Abstract).

Regarding Claim 5, most of the limitations have been met in the rejection of claim 4. See details for Claim 4 rejection. Khoo discloses the claimed aspect of an application-specific processing of the object is started by a further coupling of the object to an application icon on the display belonging to the processing computer, wherein the keyboard map of mobile phone is loaded into active memory of the device, and the input keystrokes to access corresponding keys within the keyboard map. (Khoo, Page 5, Paragraph

0044). Furthermore, keyboard map is accessed in FIG. 3D, using the display area 328. (Khoo, Page 4, Paragraph 0036). Applicant should duly note that the keyboard map from the mobile phone is coupled to the display area 328.

It would be obvious to one of ordinary skill in the art at the time of the invention to couple an object to an application icon, because it allow transfer one application from one device to the other device's display.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Khoo, US 20030227745, in view of Okahara, US 20010004254 and in further view of Trueblood, US Patent 5,748,189.

Regarding Claim 6, most of the limitations have been met in the rejection of claim 4. See details for Claim 4 rejection. Khoo and Okahara do not teach specifically the claimed aspect of the object-computer-specific data of the object is converted into application-specific data. However, Trueblood achieves the claimed aspect of the object-computer-specific data of the object is converted into application-specific data, wherein one or more display are coupled to the same work station or to other work stations which are coupled to the main work station through a local area network or the like. Each display apparatus is driven by separate driver software, such as X-server software. (See Abstract, lines 2-4). Furthermore, Trueblood discloses that X-server software normally receives X-Window commands from client programs and

cursor control data from the mouse and converts them into control signals understandable by the associated graphic controller card 66 or 68. (Trueblood, Column 8, lines 1-4). Additionally, two different display apparatus 62 and 64 are made by different vendors, (Column 8, lines 5-10) and X-server software converts commands and cursor movement data into a form understandable by the graphic controller cards for causing display. (Trueblood, Column 8, lines 14-17).

It would be obvious to one of ordinary skill in the art at the time of the invention, to combine Khoo's compound device and Okahara's shared screen aspect with Trueblood's conversion concept because it would allow different display apparatus to be coupled to one work station. (Trueblood, See Abstract).

### *Conclusion*

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ECE HUR whose telephone number is (571) 270-1972. The examiner can normally be reached on Mon-Thurs 7:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on 571-272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

April 24, 2008

Ece Hur  
E.H. /e.h.

/Kieu D Vu/  
Primary Examiner, Art Unit 2175

